

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
TERRE HAUTE DIVISION

TYRONE L. JONES,)
Plaintiff,)
v.)
RICHARD BROWN,)
KEVIN GILMORE,)
BRIAN PEEK,)
ANDREA MASON,)
ROCKY PADGETT,)
PORTER,)
LITTLEJOHN,)
Defendants.)
No. 2:20-cv-00074-JPH-MJD

ORDER

I.

The plaintiff's motion for case status, dkt [16], is **granted** to the extent that the information in this Order is now provided.

II.

The Amended Complaint was screened on April 27, 2020. Dkt. 10. The Screening Entry dismissed any claims based on the theory that the defendants breached or interfered with a contract for failure to state a claim upon which relief may be granted due to a lack of factual allegations. Defendant Mr. Peek was dismissed because the contract claim was the only claim alleged against him. In response, Plaintiff Tyrone L. Jones, filed a motion to reconsider.

The motion to reconsider provides a more definite statement of his claim which is now understood as follows: Mr. Jones alleges that the defendants tortiously interfered with his apprenticeship contract in violation of Indiana law. He seeks compensatory and punitive damages.

The motion to reconsider, dkt [13], is **granted** to the extent that this state law claim shall be permitted to proceed at this time against all defendants including defendant Brian Peek.

The **clerk is directed** to update the docket to reflect that Brian Peek, Director, Addiction Recovery is once again a defendant in this action.

III.

Defendant Rocky Padgett's motion for time to answer the amended complaint, dkt [20], is **granted**. All defendants shall have 28 days from the date this Order is docketed in which to file an Answer to the Amended Complaint, including the claim for tortious interference which was previously dismissed but is now reinstated.

IV.

The **clerk is directed** pursuant to *Fed. R. Civ. P.* 4(c)(3) to issue process to defendant Brian Peek in the manner specified by Rule 4(d). Process shall consist of the amended complaint filed on March 11, 2020, dkt [8], applicable forms (Notice of Lawsuit and Request for Waiver of Service of Summons and Waiver of Service of Summons), and this Order.

The **clerk is directed** to serve the Indiana Department of Correction employee electronically.

SO ORDERED.

Date: 9/15/2020

James Patrick Hanlon

James Patrick Hanlon
United States District Judge
Southern District of Indiana

Distribution:

TYRONE L. JONES
129441
PENDLETON - CORRECTIONAL INDUSTRIAL FACILITY
CORRECTIONAL INDUSTRIAL FACILITY
Electronic Service Participant – Court Only

All Electronically Registered Counsel

Electronic service to Indiana Department of Correction:

Brian Peek, Director Addiction Recovery
at Wabash Valley Correctional Facility